

Message Text

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E.O. 11652: GDS

TAGS:SHUM, CY

SUBJECT: HUMAN RIGHTS EVALUATION: CYPRUS

1. DEPARTMENT IS PREPARING HUMAN RIGHTS EVALUATIONS FOR ALL COUNTRIES AS PART OF OVERALL PROGRAM TO IMPLEMENT US HUMAN RIGHTS POLICY. SET FORTH BELOW IS DRAFT EVALUATION FOR CYPRUS. EACH COUNTRY EVALUATION WILL BE CLASSIFIED DOCUMENT FOR USE WITHIN USG ONLY, WILL COVER CERTAIN SPECIFIC AREAS, AND WILL INCLUDE RECOMMENDATIONS FOR US ACTION. DEPT WOULD WELCOME EMBASSIES COMMENTS AND SUGGESTIONS ON FOLLOWING TEXT AS SOON AS POSSIBLE.

2. BEGIN TEXT:

HUMAN RIGHTS EVALUATION: CYPRUS

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DESPITE OR PERHAPS BECAUSE OF THEIR PHYSICAL PROPINQUITY GREEKS AND TURKS HAVE RARELY ENJOYED HARMONIOUS RELATIONSHIP. THE HISTORICAL RECORD IS REplete WITH INSTANCES OF INVASIONS, WARS, AND ATROCITIES PERPETRATED BY THE ONE PEOPLE AGAINST THE OTHER. IN CYPRUS GREEK AND TURKISH COMMUNITIES HAVE LIVED CLOSELY ALONGSIDE EACH OTHER FOR CENTURIES, AND THE CONFLICTS AND TENSIONS BETWEEN THE TWO

GROUPS HAVE BEEN FREQUENT AND INTENSE. THE ISLAND HAS SEEN

BOTH ISOLATED INSTANCES AND PROLONGED PERIODS WHERE, EITHER AS A MATTER OF DELIBERATE POLICY OR AS AN EFFECT OF INTERCOMMUNAL VIOLENCE, BASIC HUMAN RIGHTS HAVE BEEN SERIOUSLY ABRIDGED.

THE POST-INDEPENDENCE PERIOD, FROM 1960 TO THE PRESENT, HAS WITNESSED ALMOST A CONSTANT SERIES OF CHARGES AND COUNTER-CHARGES OF VIOLATIONS OF HUMAN AND POLITICAL RIGHTS. DESPITE THE PROTECTION AFFORDED THEM IN THE CYPRUS CONSTITUTION, TURKISH CYPRIOTS WERE SUBJECTED DURING THE 1960'S TO FREQUENT DISCRIMINATION, REMOVAL FROM JOBS, AND SPORADIC VIOLENCE. INTERCOMMUNAL FIGHTING ERUPTED IN 1963 AND 1964, RESULTING IN THE DEATH OR DISAPPEARANCE OF SEVERAL HUNDRED GREEK AND TURKISH CYPRIOTS. SUBSEQUENTLY, FOR SECURITY REASONS, MOST OF THE TURKISH CYPRIOT COMMUNITY (20 OF THE ISLAND POPULATION) WITHDREW TO SMALL DEFENSIVE ENCLAVES COVERING LESS THAN 5 OF THE AREA OF THE ISLAND. IN 1967 THESE ENCLAVES WERE SUBJECTED TO GREEK CYPRIOT ATTACKS, BRINGING TURKEY TO THE VERGE OF MILITARY INTERVENTION IN CYPRUS.

IN THEIR CURRENT FORM, HUMAN RIGHTS PROBLEMS ON CYPRUS STEM LARGELY FROM THE GREEK-LED COUP IN JULY 1974 AND THE SUBSEQUENT TURKISH MILITARY INTERVENTION. IT IS CONFIDENTIAL

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GENERALLY ACCEPTED THAT ATROCITIES OCCURRED, NOT AS A CONSEQUENCE OF ANY DELIBERATE POLICY ON THE PART OF THE GOVERNMENTS INVOLVED, BUT RATHER AS A REFLECTION OF THE SCALE AND INTENSITY OF THE FIGHTING AND THE LONG-STANDING ANTAGONISM BETWEEN THE TWO COMMUNITIES ON THE ISLAND. TURKISH CYPRIOT ENCLAVES NOT OCCUPIED BY TURKISH TROOPS WERE ATTACKED BY GREEK CYPRIOT FORCES, AND TWO MASS GRAVES OF EXECUTED TURKISH CYPRIOT VILLAGERS WERE SUBSEQUENTLY DISCOVERED. FOR THEIR PART THE GREEK CYPRIOTS CHARGED THAT TURKISH TROOPS HAD ENGAGED IN MASSIVE AND SYSTEMATIC MURDER, RAPE, LOOTING, INHUMAN TREATMENT OF PRISONERS, AND EVICTION OF GREEKS FROM THEIR HOMES. AS A CONSEQUENCE OF THE WORLD-WIDE ATTENTION THAT THESE CHARGES ATTRACTED, AND IN RESPONSE TO A GREEK CYPRIOT PETITION, THE COUNCIL OF EUROPE INSTRUCTED ITS COMMISSION ON HUMAN RIGHTS TO UNDERTAKE AN INVESTIGATION OF TURKISH ACTIONS IN 1974. THE COMMISSION'S DRAFT REPORT, NOT YET APPROVED BY THE COUNCIL, FINDS THAT THE TURKISH GOVERNMENT WAS INDEED RESPONSIBLE FOR SIX VIOLATIONS OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS. THE TURKS HAVE FILED A LENGTHY REBUTTAL TO THIS REPORT THAT CHALLENGES THE GOVERNMENT OF CYPRUS' COMPETENCE TO PETITION THE

COUNCIL OF EUROPE; ASSERTS THAT THE "TURKISH FEDERATED

STATE OF CYPRUS" RATHER THAN TURKEY IS RESPONSIBLE FOR NORTHERN CYPRUS; AND CLAIMS THAT GREEK CYPRIOTS VIOLATED TURKISH CYPRIOT RIGHTS ON A MASSIVE SCALE DURING THE 1963-1974 PERIOD.

IT SHOULD BE NOTED THAT, TO THE BEST OF OUR KNOWLEDGE, NONE OF THE VIOLATIONS CITED IN THE COMMISSION'S REPORT CONTINUES. WE HAVE HEARD OF NO RECENT INSTANCES OF LARGE-SCALE OR POLITICALLY-INSPIRED MURDER, RAPE, OR LOOTING, NOR OF ILLEGAL DETENTION OR INHUMAN TREATMENT OF PRISONERS. TRAVEL SOUTHWARD OF GREEK CYPRIOTS FROM THE PART OF THE ISLAND CONTROLLED BY THE TURKISH CYPRIOTS
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ENDED IN JANUARY 1977, AND UN REPRESENTATIVES HAVE VERIFIED THAT ALL THOSE WHO HAVE LEFT OVER ROUGHLY THE PAST SIX MONTHS HAVE DONE SO ON THEIR OWN ACCORD. SPECIAL SECURITY MEASURES STILL LIMIT COMPLETE FREEDOM OF MOVEMENT FOR THE SOME 2,000 GREEK CYPRIOTS REMAINING IN THE NORTH, BUT WE UNDERSTAND THAT RESTRICTIONS ARE GRADUALLY BEING REMOVED.

IN THE COURSE OF THE 1974 FIGHTING AND THE SUBSEQUENT MOVEMENT OF POPULATION, SOME 160,000 GREEK CYPRIOTS FORMERLY RESIDENT IN THE NORTHERN PART OF THE ISLAND WERE DISPLACED TO THE SOUTH; A CONSIDERABLE PROPORTION OF THESE ARE STILL IN A REFUGEE STATUS, DEPENDENT TO SOME EXTENT ON ASSISTANCE FROM THE GOVERNMENT OF CYPRUS AND FROM THE UN HIGH COMMISSIONER FOR REFUGEES. MOREOVER, THE TURKISH GOVERNMENT AND THE TURKISH CYPRIOT AUTHORITIES HAVE NOT BEEN TOTALLY FORTHCOMING IN RESPONDING TO ATTEMPTS TO TRACE SOME 2,000 PERSONS (MOSTLY GREEK CYPRIOTS) WHO ARE STILL LISTED AS MISSING (AND UNACCOUNTED FOR) SINCE THE EVENTS OF 1974. THE TURKS HAVE MAINTAINED THAT MOST IF NOT ALL OF THESE PEOPLE WERE KILLED IN 1974 MANY IN THE COUP AGAINST MAKARIOS; AND IT IS WIDELY PRESUMED THAT THIS WAS IN FACT THE CASE. HOWEVER, THE TURKISH CYPRIOT AUTHORITIES HAVE REFUSED TO ALLOW INTERNATIONAL INVESTIGATORY BODIES--INCLUDING THE RED CROSS AND THE EUROPEAN COMMISSION ON HUMAN RIGHTS--TO CONDUCT ON-THE-SPOT INVESTIGATIONS INTO THESE CASES. UN SECRETARY GENERAL WALDHEIM HAS REFERRED SEVERAL TIMES IN HIS SEMI-ANNUAL REPORTS ON PEACE-KEEPING OPERATIONS IN CYPRUS TO THE INABILITY TO REPORT ACCURATELY ON HUMAN RIGHTS CONDITIONS IN AREAS UNDER TURKISH CYPRIOT CONTROL.

ONCE THE INTERCOMMUNAL ASPECT IS REMOVED FROM CONSIDERATION
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TION, THE HUMAN RIGHTS RECORDS OF BOTH THE GREEK CYPRIOT
AND TURKISH CYPRIOT AUTHORITIES GIVE NO CAUSE FOR CONCERN .

WE HAVE NO INFORMATION THAT WOULD SUGGEST THAT AUTHORITIES
IN EITHER COMMUNITY ARE ENGAGED VIS-A-VIS THEIR OWN
POPULATIONS IN TORTURE, INHUMAN OR DEGRADING PUNISHMENT,
ARBITRARY ARREST OR IMPRISONMENT, DENIAL OF FAIR PUBLIC
TRIAL, OR INVASION OF THE HOME.

RECOMMENDATIONS

A RESOLUTION OF THE RESIDUAL HUMAN RIGHTS PROBLEMS ON
CYPRUS--THE RESETTLEMENT OF REFUGEES AND THE ACCOUNTING
FOR MISSING PERSONS--WILL BE POSSIBLE ONLY WITHIN THE
CONTEXT OF A POLITICAL SETTLEMENT ON THE ISLAND. THE
UNITED STATES GOVERNMENT IS ACTIVELY PROMOTING THE
NEGOTIATION OF SUCH A SETTLEMENT, AND WE INTEND TO CON-
TINUE ON THIS COURSE IN THE FUTURE.

IN THE MEANTIME, THE UNITED STATES IS CONTRIBUTING THROUGH
THE UN HIGH COMMISSIONER FOR REFUGEES TO THE RELIEF OF
PERSISTENT REFUGEE NEEDS IN BOTH PARTS OF CYPRUS. WE
HAVE COMMITTED \$17.5 MILLION TO THIS PURPOSE IN FISCAL
YEAR 1977, AND A FURTHER \$15 MILLION HAS BEEN AUTHORIZED
AND APPROPRIATED FOR FISCAL YEAR 1978. WE CONTINUE, IN
ADDITION, TO BE ATTENTIVE TO ANY POSSIBILITIES THAT
MIGHT ARISE FOR ASCERTAINING THE WHEREABOUTS OF PERSONS
STILL LISTED AS MISSING SINCE THE 1974 FIGHTING, AND
WE INTEND TO REMIND THE TURKISH CYPRIOT AUTHORITIES
FROM TIME TO TIME OF THE NEED TO BE MORE FORTHCOMING ON
THIS ISSUE. LAST FEBRUARY ARCHBISHOP MAKARIOS AND TURKISH
CYPRIOT LEADER DENKTASH AGREED IN PRINCIPLE TO FORM A
JOINT COMMISSION TO INVESTIGATE REPORTS OF MISSING PER-
SONS, AND STEPS ARE NOW BEING TAKEN, SLOWLY TO BE SURE,
TO IMPLEMENT THIS AGREEMENT. END TEXT. CHRISTOPHER

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